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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pelrine, et al.

Attorney Docket No.: SRI1P020/US-
4184-2

Application No.: 09/620,025

Examiner: P. Medley

Filed: July 20, 2000

Group: 2834

Title: ELECTROACTIVE POLYMER
TRANSDUCERS AND ACTUATORS

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CERTIFICATE OF MAILING

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Signed:

Natalie Morgan
Natalie Morgan

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Election/Restriction Requirement mailed February 13, 2002, Applicants provisionally elect with traverse Figs. 1A-1D, an electroactive polymer transducer as shown in Figs. 1A-1B and electroactive polymers having several textured surfaces as shown in Figs. 1C-1D.

The claims readable on the elected species are believed to be claims 1-8, 10-17, 20, 23, and 24-26.

The Examiner asserts that claim 1 is generic. While all the claims in the present application include a transducer for converting between electrical and mechanical energy, Applicants note that not all the claims include the limitations of independent claim 1. Namely, claim 1 recites "wherein a portion of the polymer is elastically pre-strained". Independent claims 27, 34, 38, 41, and 52 do not recite this limitation and are not intended to be limited to an elastically pre-strained polymer and any other limitations currently recited in, or added in the future to, independent claim 1.

It is respectfully submitted that the five claim groups identified by the Examiner are not unrelated. Each has a common transducer responsible for converting between electrical and mechanical energy that comprises a polymer and at least two electrodes.

Further, in order for a restriction requirement to be proper, there must be a serious burden on the Examiner. According to MPEP 803, "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions."

In this case, any appropriate search of the claims for Figs. 1A-1D should reasonably cover the inventions recited in the other figures as well. As indicated, all inventions involve a common polymer transducer responsible for converting between electrical and mechanical energy. Hence, it is respectfully submitted that it would not be a serious burden on the Examiner to search all five claim groups.

Withdrawal of the restriction/election requirement is respectfully submitted.

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. SRI1P020).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



William J. Plut
Limited Recognition Under C.F.R. 10.(b)

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Expires: June 10, 2002


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